



Practitioner's Docket No. MPI02-110P1RNM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Shomir Ghosh et al.  
Application No.: 10/678,872                      Group No.:  
Filed: October 3, 2003                      Examiner: N/A  
For: PGD2 RECEPTOR ANTAGONISTS FOR THE TREATMENT OF  
INFLAMMATORY DISEASES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statement;
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449);
3. ☒ Copies of listed Information items accompanying this Statement (AA-AM,BA-BT)

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

- ☒ with sufficient postage as first class mail.                      ☐ as "Express Mail Post Office to Address" Mailing Label No.

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: January 12, 2003

Signature

  
Allan N. Kutzenco

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.



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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement submitted herewith is being filed:  
☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**OR**

☐ *After* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

(1) a final action under Section 1.113,

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**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL**

1. Transmitted herewith for this application are:
  - a. This Transmittal;
  - b. Preliminary Amendment (3 pages);
  - c. Transmittal of Information Disclosure Statement (2 pages);
  - d. Information Disclosure Statement (2 pages);
  - e. Form PTO/SB/08A (1 page);
  - f. Form PTO/SB/08B (1 page);
  - g. References cited (AA-AM, BA-BT); and
  - h. Return postcard.

**STATUS**

2. Applicant is other than a small entity.

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Allan N. Kutzenko

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For:	PGD2 RECEPTOR ANTAGONISTS FOR THE TREATMENT OF INFLAMMATORY DISEASES		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sir:

Prior to examination, please amend the application as follows:

---

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I hereby certify that, on the date shown below, this correspondence is being:

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- ☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office. (703) 872-9306

Signature

Allan N. Kutzenko

(type or print name of person certifying)

Date: January 12, 2003

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IN THE SPECIFICATION

On page 1, after the title, please insert:

CROSS-REFERENCE TO RELATED APPLICATION

This application claims the benefit of U.S. Provisional Application 60/416,501, filed October 4, 2002.

REMARKS

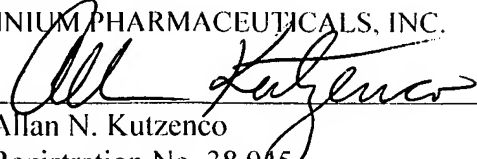
No new matter has been added by way of amendment, and Applicants submit that the application is now in condition for examination.

January 12, 2004

Respectfully submitted.

MILLENNIUM PHARMACEUTICALS, INC.

By

  
Allan N. Kutzenco

Registration No. 38,945

40 Landsdowne Street

Cambridge, MA 02139

Telephone – (617) 444-1598

Facsimile – (617) 551-8820

Practitioner's Docket No. MPI02-110P1RNM

### Preliminary Statement

Pursuant to 37 CFR 1.56, 1.97 and 1.98, applicants submit herewith patents, publications or other information, which may be material to the examination of this application.

No representation is made regarding whether the information cited herein is prior art to applicants' claimed invention or whether that information is material to patentability of the claims.

For the Examiner's convenience, applicants have listed several patents and patent applications that have published in the period between the filing of the priority document (S.N. 60/416501, filed October 4, 2002) and this application (filed October 3, 2003). For these documents, the letter designation "-p" has been added as suffix to the citation number (e.g., AK-p).

### Copies of Listed Information Items Accompanying This Statement

Copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information disclosure statement.

January 12, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By:  

Allan N. Kutzenco

Attorney for Applicant

Reg. No. 38,945

40 Landsdowne Street

Cambridge, MA 02139

Telephone: (617) 444-1598

Facsimile - (617) 551-8820

**Practitioner's Docket No. MPI02-110P1RNM**

- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

**FEE PAYMENT**

2. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☒ Applicant believes no fee is due in connection with this submission.

Fee due \$0.00

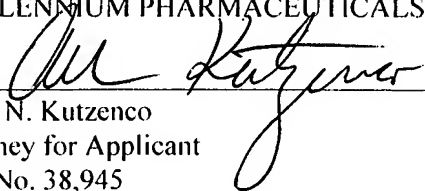
**METHOD OF PAYMENT OF FEE**

3. ☐ Attached is a check in the amount of \$\_\_\_\_\_.
- ☐ Charge Account No. 501668 in the amount of \$0.00.
- ☐ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

January 12, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By   
Allan N. Kutzenco  
Attorney for Applicant  
Reg. No. 38,945  
40 Landsdowne Street  
Cambridge, MA 02139  
Telephone: (617) 444-1598  
Facsimile - (617) 551-8820

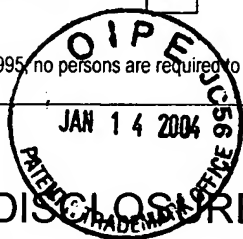
Please type a plus sign (+) inside this box → ☐

PTO/SB/08B (10-96)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	2	of	2	Attorney Docket Number	«File_Ref_No»
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## Complete if Known

Application Number	«AppINumber»
Filing Dat	«Filing_Date»
First Named Inventor	«inventor1»
Group Art Unit	
Examiner Name	

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Kind Code <sup>2</sup> (if known)	Number			

## FOREIGN PATENT DOCUMENTS

Exami ner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	BL	WO	02058652 (Abstract and structures only in English)	A1	Henkel Kommanditgesell- schaft Auf Aktien	08-01-2002	entire document	
	BM	WO	0211710	A2	Pfizer Products Inc.	02-14-2002	entire document	
	BN	WO	0218361	A2	Allergan Sales Inc.	03-07-2002	entire document	
	BO-p	WO	02079165	A1	Astrazeneca AB	10-10-2002	entire document	
	BP-p	WO	02088069	A2	Pfizer Products Inc.	11-07-2002	entire document	
	BQ	WO	0222585	A1	Kaken Pharm. Co., Ltd.	03-21-2002	entire document	US 2003/0216428 (English equivalent)
	BR	WO	03097042 (Abstract and structures only in English)	A1	Shionogi & Co., Ltd.	11-27-2003	entire document	
	BS	WO	03097598 (Abstract and structures only in English)	A1	Shionogi & Co., Ltd.	11-27-2003	entire document	
	BT	JP	P200253557 (Structures only in English)	A		02-19-2002	entire document	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation design number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/08A (10-96)

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Substitute for form 1449A/PTO  <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p>		<h3 style="text-align: center;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/678872</td> </tr> <tr> <td>Filing Date</td> <td>October 3, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Ghosh, Shomir</td> </tr> <tr> <td>Group Art Unit</td> <td></td> </tr> <tr> <td>Examiner Name</td> <td>N/A</td> </tr> <tr> <td>Attorney Docket Number</td> <td>MP102-1101RNM</td> </tr> </table>		Application Number	10/678872	Filing Date	October 3, 2003	First Named Inventor	Ghosh, Shomir	Group Art Unit		Examiner Name	N/A	Attorney Docket Number	MP102-1101RNM
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Filing Date	October 3, 2003														
First Named Inventor	Ghosh, Shomir														
Group Art Unit															
Examiner Name	N/A														
Attorney Docket Number	MP102-1101RNM														
Sheet	1	of	1												

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		Number	Kind Code <sup>2</sup> (if known)			
	AA	6048873		Vasudevan et al.	04-11-2000	entire document
	AB	6147089		DeNinno et al.	11-14-2000	entire document
	AC	6197786	B1	DeNinno et al.	03-06-2001	entire document
	AD	6291677	B1	Vasudevan et al.	09-18-2001	entire document
	AE	6310075	B1	DeNinno et al.	10-30-2001	entire document
	AF	6313107	B1	Vasudevan et al.	11-06-2001	entire document
	AG	6313142	B1	Damon et al.	11-06-2001	entire document
	AH	6362198	B1	Goldstein et al.	03-26-2002	entire document
	AI	6362199	B1	DiFabio	03-26-2002	entire document
	AJ	6395751	B1	DeNinno et al.	05-28-2002	entire document
	AK-p	6489478	B1	DeNinno et al.	12-03-2002	entire document
	AL-p	6586448	B1	DeNinno et al.	07-01-2003	entire document
	AM-p	6600045	B2	Damon et al.	04-17-2003	entire document

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		Code <sup>5</sup> Office <sup>3</sup>	Kind Number <sup>4</sup> (if known)					
	BA	EP	0987251	A1	Pfizer Products Inc.	03-22-2000	entire document	
	BB	EP	0992496	A1	Pfizer Products Inc.	04-12-2000	entire document	
	BC	EP	1125929	A1	Pfizer Products Inc.	08-22-2001	entire document	
	BD	EP	1221439	A1	Kaken Pharm.Co. Ltd.	07-10-2002	entire document	
	BE	WO	0006153	A1	Smithkline Beecham Corp.	02-10-2000	entire document	
	BF	WO	0017165	A1	Pfizer Products Inc.	03-30-2000	entire document	
	BG	WO	0017166	A1	Pfizer Products Inc.	03-30-2000	entire document	
	BH	WO	0140190	A1	Pfizer Products Inc.	06-07-2001	entire document	
	BI	WO	0149675	A1	Pharmacia Corp.	07-12-2001	entire document	
	BJ	WO	0158875	A2	Grunenthal GmBh	08-16-2001	entire document	US 2003/0087926 (English equivalent)
	BK	WO	0176629	A1	Takeda Chemical Industries, Ltd.	10-18-2001	entire document	US 2003/0216398 (English equivalent)

Examiner Signature	Date Considered
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Practitioner's Docket No. MPI02-110P1RNM

**FEE DEFICIENCY**

6. If any additional fee is required, charge Account No. 501668.

7. Correspondence Address

Direct all future correspondence to:

Customer Number 30405

OR

Intellectual Property Department  
MILLENNIUM PHARMACEUTICALS, INC.  
40 Landsdowne Street  
Cambridge, MA 02139

January 12, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By



Allan N. Kutzenco

Registration No. 38,945

40 Landsdowne Street

Cambridge, MA 02139

Telephone - 617-444-1598

Facsimile - 617-551-8820